

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**TEVIN BAX,**  
**Plaintiff**

**v.**

**MATTHEW DWAYNE  
CLARK, et al.,**  
**Defendants**

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**No. 1:20-cv-222**

**(Judge Rambo)**

**ORDER**

**AND NOW**, on this 7th day of December 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT**:

1. Defendants' partial motion to dismiss (Doc. No. 84) is **DENIED**;
2. Defendants are directed to file an answer to the second amended complaint (Doc. No. 77) within fourteen (14) days of the date of this Order;
3. The above-captioned case is **REFERRED** to the Court's Prisoner Litigation Settlement Program;
4. Joseph Barrett, Esq., the ADR Coordinator for the Middle District of Pennsylvania, is **APPOINTED** to serve as mediator;
5. All settlement discussions are confidential and may not be utilized by any party if settlement is not reached;
6. In order to reduce cost, time, expense, inconvenience, and to suitably address institutional security concerns, counsel and the mediator will coordinate with officials for the Department of Corrections to schedule video-conference mediation sessions with Plaintiff at mutually convenient times, and in a manner that comports with the needs and concerns of prison officials;

7. The parties shall complete mediation within sixty (60) days of the date of this Order; and
8. The parties and the mediator shall promptly notify the Court in writing if this case is resolved through mediation.

s/ Sylvia H. Rambo  
United States District Judge